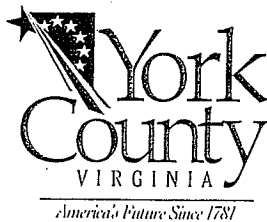


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November 24, 2009

Mr. Robert C Phaup III
1925 Yorktown Road
Yorktown, VA 23693

RE: CBPA Exception 09-291, 1925 Yorktown Road

Dear Mr. Phaup:

On November 13, 2009, you submitted an application to the Chesapeake Bay Board and the \$250.00 filing fee. You are requesting an exception of the Resource Protection Area (RPA) buffer requirements to allow construction of a garage and a carport in the RPA along Moore's Creek. The next York County Chesapeake Bay Board public hearing is scheduled for 6:00 p.m. on Thursday, January 14, 2010. The hearing will be held in the East Room on the first floor of York Hall. York Hall is located at 301 Main Street, which is on the northeast corner of Main Street and Ballard Street in Yorktown's historical area.

For this application to the Chesapeake Bay Board to be complete a survey or a drawing at scale including the information listed under "attach the following information" must be submitted. A copy of the Chesapeake Bay Board Application is attached. Also attached, is a map of your property at scale. This map may be submitted to satisfy the requirements for the Chesapeake Bay Board Application provided the existing deck and the proposed garage and carport are drawn on at scale. The proposed concrete pad and any additional driveway must also be shown. As a reminder, zoning requires that the garage and carport be at least 10 feet from the house and 5 feet from the rear property line.

The deadline for submitting this information for the January 14, 2010 public hearing is December 21, 2009. Until the requested information is received this application will be considered incomplete. Attached are two examples of plat maps that were submitted with Chesapeake Bay Board applications.

A site visit by the Chesapeake Bay Board is scheduled for Wednesday afternoon on January 6, 2010. A site inspection schedule will be mailed to you on December 23, 2009 and will include the tentative time of the visit. Please have the proposed shed and carport locations staked in the field for the site visit or the application may be determined to be

incomplete. The flags set by County Staff marking the limits of the RPA also need to remain in place for the site visit.

Once we receive all the required information the Board will be provided with a copy of your application and copies of all the information in your file. If you have any questions, please contact me at 890-3758 as soon as possible.

Sincerely,

A handwritten signature in cursive script that reads "Kent Henkel".

Kent Henkel
Environmental Technician

Copy to: Anna Drake, CBPA Manager
James Barnett, County Attorney
Melinda Dunlap, Environmental Technician
Nancy Miller, Chesapeake Bay Local Assistance Department
Chesapeake Bay Board and File